

HONORABLE RONALD B. LEIGHTON

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF WASHINGTON  
AT TACOMA

CHRISTIAN DOSCHER,

Plaintiff,

v.

THURSTON COUNTY; BETTY GOULD,

Defendants.

No. 12-cv-5652-RBL

Order

**I. INTRODUCTION**

Before the Court is Plaintiff Christian Doscher's application to proceed *in forma pauperis*. For the reasons set forth below, the Court grants the application.

**II. DISCUSSION**

A district court may permit indigent litigants to proceed *in forma pauperis* upon completion of a proper affidavit of indigency. *See* 28 U.S.C. § 1915(a). The court has broad discretion in resolving the application, but "the privilege of proceeding *in forma pauperis* in civil actions for damages should be sparingly granted." *Weller v. Dickson*, 314 F.2d 598, 600 (9th Cir. 1963), *cert. denied* 375 U.S. 845 (1963). Moreover, a court should "deny leave to proceed *in forma pauperis* at the outset if it appears from the face of the proposed complaint that the action is frivolous or without merit." *Tripati v. First Nat'l Bank & Trust*, 821 F.2d 1368, 1369

(9th Cir. 1987) (citations omitted); *see also* 28 U.S.C. § 1915(e)(2)(B)(i). An *in forma pauperis* complaint is frivolous if “it ha[s] no arguable substance in law or fact.” *Id.* (citing *Rizzo v. Dawson*, 778 F.2d 527, 529 (9th Cir. 1985); *Franklin v. Murphy*, 745 F.2d 1221, 1228 (9th Cir. 1984).

Here, the proposed Complaint states that Plaintiff is listed as a felon by Thurston County, however, he claims that he was never convicted of any crime. He seeks relief under 42 U.S.C. § 1983.

### III. ORDER

For the reasons stated above, the Court **GRANTS** the application to proceed *in forma pauperis*.

Dated this 16<sup>th</sup> day of August 2012.

  
RONALD B. LEIGHTON  
UNITED STATES DISTRICT JUDGE